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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,602	11/05/1999	MIKA LEPPINEN	4925-14	5428

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EXAMINER

POLLACK, MELVIN H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/435,602

Applicant(s)

LEPPINEN, MIKA

Examiner

Melvin H Pollack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>see attached office action</u> . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.
2. In the response to the last office action, the applicant changed the scope of the claims by adding "without communicating the redirection message to the mobile station" to all independent claims. As a result, a final amendment is necessitated even if the examiner provides a new art rejection. The examiner acknowledges that no new matter has been added by this amendment.

Claim Rejections - 35 USC § 103

3. Claims 1, 2, 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitts (6,505,241) and Gupta et al. (6,226,752).
4. For claim 1, Pitts teaches a method (abstract) for minimizing data transmission (col. 2, lines 20-40) between a station (Fig. 1, 42) and a gateway server (Fig. 1, 24), comprising the steps of:
 - a. Transmitting by a station to a gateway server a request for at least one of content and resource located on a web server (col. 7, lines 15-16 and 55-60) using a first protocol (col. 7, lines 65-67; col. 8, lines 10-15);
 - b. Transmitting the request by the gateway server to the web server (col. 11, lines 20-45) using a second protocol that is compatible with that used by the web server (col. 8, lines 15-25; col. 11, lines 10-20);
 - c. Receiving a redirection message by the gateway server from the web server, the redirection message indicating a new location of the at least one of content and resource

(col. 11, lines 45-60; the gateway checks the servers one at a time to determine which server has the information in cache or on a hard drive, called a “server terminator”);

d. Creating and transmitting by the gateway server to one of the web server and another web server another request for the at least one of content and resource at the new location in response to the redirection message (col. 11, lines 45-60; the request is passed until the data is found) and without communicating the redirection message to the station (Fig. 1, #54 and #56, show the pathways of these redirection messages, and show that the messages travel from gateway to server and back, but do not travel to the station);

e. Receiving by the gateway server the at least one of content and resource from said one of the web server and another web server (col. 11, lines 55-65); and

f. Transmitting the at least one of content and resource from the gateway server to the station using the first protocol (col. 11, line 65 – col. 12, line 10).

5. Pitts does not expressly disclose that the station is mobile. Gupta teaches a method (abstract) of forwarding requests (Fig. 1) from a client (Fig. 2. 200) over a wireless network (col. 2, lines 1-8). At the time the invention was made, one of ordinary skill in the art would have added a wireless network to Pitts in order to increase the types of clients that can be linked together (col. 1, lines 60-65).

6. For claim 2, Pitts does not expressly disclose transmitting the new location of the at least one of content and resource to the mobile station from the gateway server after receiving by the gateway server the at least one of content and resource from said one of the web server and another web server. Gupta teaches this limitation in regards to gaining authentication resources from the login server without having to continuously access through the application server (Fig.

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3, #314; col. 7, lines 1-25). At the time the invention was made, one of ordinary skill in the art would have sent location information to the client so that the client would not have to go through the process each time (col. 6, lines 20-25).

7. For claim 5, Pitts does not expressly disclose that the second protocol is based on a World-Wide Web protocol (WWW). Gupta discloses this limitation (col. 2, lines 34-50). At the time the invention was made, one of ordinary skill in the art would have used a WWW protocol to provide a simpler, more uniform means for accessing information on the internet (col. 2, lines 25-35).

8. For claim 6, Pitts does not expressly disclose that the second protocol is the HyperText Transport Protocol (HTTP). Gupta teaches this limitation (col. 2, lines 45-50). At the time the invention was made, one of ordinary skill in the art would have used a WWW protocol to provide a simpler, more uniform means for accessing information on the Internet (col. 2, lines 25-35).

9. For claim 7, Pitts does not expressly disclose that the request is coded as a Uniform Resource Locator (URL). Gupta teaches this limitation as well (col. 3, lines 15-30). At the time the invention was made, one of ordinary skill in the art would have used a URL as a compact way to send the information and to simplify access (col. 3, lines 30-50).

10. Claims 8-11 are drawn to a hardware system that implements the method drawn in claims 1, 7, 6, and 2, respectively. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 1, 2, 6 and 7 are rejected, claims 8-11 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

11. Claims 3, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitts and Gupta as applied to claims 1, 2, 5-11 above, and further in view of Kalpio et al. (6,343,323).

12. For claim 3, Pitts and Gupta do not expressly disclose that the new location is included as a header transmitted with the at least one of content and resource. Kalpio teaches a method (see abstract) of using a proxy between a client and a server bank (Fig. 1-3) in which a header contains the information (col. 1, line 54 – col. 2, line 5). At the time the invention was made, one of ordinary skill in the art would have combined the two inventions so that the control data may be kept with the related data for better processing (col. 3, lines 44-52).

13. Claim 12 is drawn to a hardware system that implements the method drawn in claim 3. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claim 3 is rejected, claim 12 is also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

14. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitts and Gupta as applied to claims 1, 2, 5-11 above, and further in view of Martin et al. (6,457,060).

15. For claim 4, Pitts and Gupta do not expressly disclose that the first protocol is based on the Wireless Application Protocol (WAP). Gupta does, however, disclose a wireless network, as shown above. It is thus inherent that the first protocol over a wireless network be a wireless protocol such as WAP or Wi-Fi. Martin teaches this protocol (col. 2, lines 63-67; col. 5, line 64 – col. 6, line 18). At the time the invention was made, one of ordinary skill in the art would have

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added a WAP protocol to Gupta as a way to implement Gupta's wireless networks in a simple, robust manner.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H Pollack whose telephone number is (703) 305-4641. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP

13 February 2004

A handwritten signature in black ink, appearing to read 'Rupal Dharia', with a long horizontal flourish extending to the right.

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER